



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

F. #2021R00987
AP

*271 Cadman Plaza East
Brooklyn, New York 11201*

September 1, 2022

By ECF and E-Mail

The Honorable Eric R. Komitee
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Charles Powell
Criminal Docket No. 21-572 (EK)

Dear Judge Komitee:

The government respectfully writes pursuant to the Court's order of August 31, 2022 to get a response from the legal department of the Bureau of Prisons ("BOP") by the end of day on September 1, 2022.

On August 29, defense counsel submitted a letter to the Court attaching a proposed order to direct the Metropolitan Detention Center ("MDC") to provide the defendant with adequate and consistent lighting in his cell. Defense counsel informed the Court that the defendant was recently transferred to a new cell where the light in the cell has been broken for at least two weeks.

In response to the Court's order on August 31, the undersigned AUSA sent an email the same day to MDC at 4:21 p.m. and conveyed to them the concern raised by Ms. Gelernt about the lighting in the defendant's cell. Ms. Gelernt was also copied on that email.

Earlier today at 3:37 p.m., I received a response from MDC informing Ms. Gelernt and I that certain inmates have been tampering with the lights, which shorted the lighting in a few cells. We were also informed that electricians have been working on this all day and will continue to do so through the evening until the problem is resolved. Ms. Gelernt responded to the email from MDC to add that the light in the defendant's cell was already broken when he was transferred there.

I will continue to communicate with MDC about this matter.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/
Andrés Palacio
Assistant U.S. Attorney
(718) 254-6215

Cc: Clerk of the Court (EK) (by ECF) (without attachments)
Defense counsel (by ECF)